

REMARKS

The following remarks are believed responsive to the points raised by the Office Action dated June 6, 2006 and reconsideration is respectfully requested.

AMENDMENTS

The title has been amended to more clearly indicate the claimed invention. The objection with respect to the title should, therefore, be removed. The specification has been amended to more clearly state the molecular weight of polyisobutylene.

Claims 1, 5, 10, 15, 16, 20, and 30-34 are amended. Claims 6 and 21 have been cancelled. Claims 1, 16, and 31-34 are amended to more clearly define the invention. The amendments are supported, for example, at page 6, lines 2-3 and lines 16-17 and originally filed claims 6 and 21. Claim 10 is amended to depend from claim 9. Claims 15 and 30 are amended to more clearly define the present invention. Support for these amendments may be found at, for example, page 8, lines 28-30. No new matter is added by these amendments.

REJECTIONS UNDER § 112

Claim 1 is rejected under § 112, par. 1 for allegedly failing to comply with the written description requirement. The Applicants respectfully disagree that the weight percent amount of 20% is not supported in the specification. For example, at page 5, lines 29-30 an additive composition is disclosed as containing 20 wt% of a boron- and phosphorus-containing dispersant. Further, the claims and specification also support a power transmitting fluid comprising a base oil and about 2.0 wt% of a phosphorus- and boron-containing dispersant. Further support may be found at page 7, lines 9-11 which state “[i]n some embodiments, the additive composition may be combined with a base oil to provide a power transmitting fluid.”

Claim 10 is rejected under § 112, par. 2 for lacking antecedent basis. Claim 10 has been amended to depend from claim 9 and now has proper antecedent basis.

Claims 5 and 20 are rejected for containing the limitation of “amu.” At the suggestion of the Examiner these claims and corresponding specification text have been amended.

REJECTIONS UNDER § 102

US 5,089,156 to Chrisope

Claims 1-5, 7-8, 13-20, 22-23, and 28-31 are rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by US 5,089,156 to Chrisope ("US '156"). This rejection and its grounds are respectfully traversed.

Claim 1 defines an additive composition comprising at least one metal-containing, overbased detergent. Claim 16 defines a power transmission fluid comprising at least one metal-containing, overbased detergent. Claim 31 defines a continuously variable transmission fluid comprising at least one metal-containing, overbased detergent.

Nothing in US '156 describes such compositions or fluids. In particular US '156 describes a fluid devoid of metal-containing components. See column 1, lines 32-39. Further, claim 1 has been amended to include the limitations of claim 6, claim 16 has been amended to include the limitations of claim 21, and claim 31 has likewise been amended to include similar limitations. Since claims 6 and 21 are not rejected, the rejections of claims 1, 16, and 31 and their rejected dependent claims should be removed.

US 5,578,236 to Srinivasan

Claims 1, 12, 14-16, 27, and 29-34 are rejected under 35 U.S.C. 102(b) as being allegedly anticipated by US 5,578,236 to Srinivasan ("US '236"). This rejection and its grounds are respectfully traversed.

Claim 1 defines an additive composition comprising at least one metal-containing, overbased detergent. Claim 16 defines a power transmission fluid comprising at least one metal-containing, overbased detergent. Claim 31 defines a continuously variable transmission fluid comprising at least one metal-containing, overbased detergent. Claim 32 defines a method of increasing steel-on-steel friction comprising at least one metal-containing, overbased detergent. Claim 33 defines a method of improving anti-shudder comprising at least one metal-containing, overbased detergent. Claim 34 defines a method of stabilizing steel-on-paper friction comprising at least one metal-containing, overbased detergent.

Nothing in US '236 describes such compositions, fluids, or methods. In particular US '236 describes a fluid containing little to no metal components. See column 1, lines 35-38.

Further, claim 1 has been amended to include the limitations of claim 6, claim 16 has been amended to include the limitations of claim 21, and claims 31-34 have likewise been amended to include similar limitations. Since claims 6 and 21 are not rejected, the rejections of claims 1, 16, and 31-34 and their rejected dependent claims should be removed.

REJECTIONS UNDER § 103

US 2002/0151441 to Srinivasan

Claims 1, 6, 9-12, 14-16, 21, 24-27, and 29-34 are rejected under 35 U.S.C. 103(a) as allegedly being obvious in view of US 2002/0151441 to Srinivasan ("US '441"). This rejection and its grounds are respectfully traversed.

Claim 1 defines an additive composition comprising at least one first dispersant and at least one second dispersant. Claim 16 defines a power transmitting fluid comprising at least one first dispersant and at least one second dispersant. Claim 31 defines a continuously variable transmission fluid comprising at least one first dispersant and at least one second dispersant. Claim 32 defines a method of increasing steel-on-steel friction comprising at least one first dispersant and at least one second dispersant. Claim 33 defines a method of improving anti-shudder comprising at least one first dispersant and at least one second dispersant. Claim 34 defines a method of stabilizing steel-on-paper friction comprising at least one first dispersant and at least one second dispersant.

Nothing in US '441 describes such compositions, fluids, or methods. In particular, nothing in US '441 describes, teaches or points to using a first and a second dispersant. Further one of ordinary skill in the art would be taught nothing about using the particular combination of the claimed dispersants to achieve the benefits of the presently claimed invention. Therefore, the rejections with respect to claims 1, 16, 31, 32, 33, and 34 and their rejected dependent claims should be removed.

Fees

Please debit a fee of \$120 from Deposit Account No. 12-2355 for a one-month extension of time pursuant to 37 C.F.R. 1.17(a)(1). It is the belief of the undersigned attorney that there are no other fees associated with this filing. However, in the event that the calculations are incorrect, the Commissioner is authorized to charge any deficiencies in fees or credit any overpayment associated with this communication to Deposit Account No. 12-2355.


Conclusion

The application is considered in good and proper form for allowance. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,

LUEDEKA, NEELY & GRAHAM, PC

By:


Leah Oubre Robinson
Registration No. 44.990

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P.O. Box 1871
Knoxville, TN 37901
865.546.4305 (tel)
865.934.5079 (direct)
865.523.4478 (fax)
LRobinson@lng-patent.com